

**REMARKS**

Applicants wish to thank Examiner Goodrow for the helpful and courteous discussion with Applicants' Representatives on August 22, 2005. During this discussion it was noted that the claims may be allowable if Claim 9 is rewritten in independent form. Accordingly, the limitations of allowable Claim 9 have been included in Claim 1. Claims 20, 23, 25 and 27 have been canceled, thereby rendering the rejections of these claims under 35 U.S.C. § 101, moot.

The rejection of Claims 30 and 31 under 35 U.S.C. § 101 is traversed. Claim 30 relates to a one-component developer comprising the toner according to Claim 1. Claim 31 relates to a toner container comprising the one-component developer according to Claim 30. Claim 30 is broader in scope than Claim 1 and Claim 31 is broader in scope than Claim 30. Thus, this rejection should be withdrawn.

The rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, is obviated by the amendment of Claim 1.

Regarding US 6,821,698, Applicants wish to point out that this reference was filed on September 23, 2002 and published on July 10, 2003, before the US filing date of the present application (November 13, 2003). The Examiner has only used this reference for a double patenting rejection of Claims 1-41 over claims 1-28 of US 6,821,698. This double patenting rejection is traversed because there is no explicit disclosure or suggestion in the claims of US 6,821,698 of formulae (I) and (II) as claimed in Claim 1. Thus, the double patenting rejection should be withdrawn.

Applicants respectfully request that the Examiner acknowledge that the references cited in the **Information Disclosure Statement**, filed in the above-identified application on **February 9, 2004**, have been considered. For the Examiner's convenience a copy of Form PTO 1449 as filed on February 9, 2004, is attached herewith.

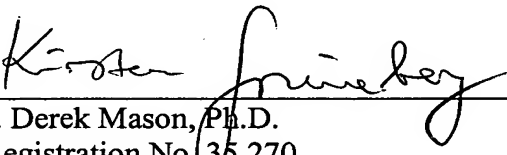
Application No.: 10/706,113

Reply to the Office Action dated: July 12, 2005

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
J. Derek Mason, Ph.D.  
Registration No. 35,270

Kirsten A. Grueneberg, Ph.D.  
Registration No.: 47,297

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
NFO:KAG:

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 244080US0		SERIAL NO. 10/706,113	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Chiaki TANAKA, et al.		GROUP	
				FILING DATE November 13, 2003			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	AA	6,660,443	12-09-03	SUGIYAMA et al.			
	AB	6,596,449	07-22-03	SHIMADA et al.			
	AC	6,492,079	12-10-02	SHIMADA et al.			
	AD	6,667,141	12-23-03	IWAMOTO et al.			
	AE	6,548,216	04-15-03	KAWAMURA et al.			
	AF	6,544,701	04-08-03	TADOKORO et al.			
	AG	6,465,648	10-15-02	TADOKORO et al.			
	AH	6,524,761	02-25-03	SHIMADA et al.			
	AI	6,313,288	11-06-01	SHIMADA et al.			
	AJ	6,653,037	11-25-03	SAWADA et al.			
	AK	6,303,736	10-16-01	KAWAMURA et al.			
	AL	6,187,494	02-13-01	KAWAMURA et al.			
	AM	6,172,176	01-09-01	TANAKA et al.			
	AN	5,976,746	11-02-99	TANAKA et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO						
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
244080US0

OCT 12 2005

SERIAL NO.  
10/706,113

## LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Chiaki TANAKA, et al.

FILING DATE

November 13, 2003

GROUP

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	6,194,535	02-27-01	KATAYAMA et al.			
	AB	6,066,428	05-23-00	KATAYAMA et al.			
	AC	6,593,048	07-15-03	SASAKI et al.			
	AD	6,503,676	01-07-03	YAMASHITA et al.			
	AE						
	AF						
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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO					
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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